

REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this amendment, claims 1-9 will be pending. By this amendment, claims 1-9 have been amended. No new matter has been added.

Objections to the Drawings

In Sections 4-7 of the Office Action, the Examiner has objected to Fig. 1, Fig. 4, Fig. 5A, Fig. 5B, Fig. 5C, and Fig. 5D.

Fig. 1, Fig. 2, Fig. 3, Fig. 4, Fig. 5A, Fig. 5B, Fig. 5C, and Fig. 5D have been amended, obviating this objection.

Accordingly, it is respectfully requested that these objections be withdrawn.

Objections to the Specification

In Section 5 of the Office Action, the Examiner has objected to the Specification for lack of consistency.

The Specification has been amended, obviating this objection.

Accordingly, it is respectfully requested that these objections be withdrawn.

Objections to Claims 1-9

In Sections 8 of the Office Action, the Examiner has objected to claims 1-9 for missing preceding articles.

Claims 1-9 have been amended, obviating this objection.

In Sections 9 of the Office Action, the Examiner has objected to claim 5 under 37 CFR 1.75(c) for being of improper dependent form.

Claim 5 has been amended, obviating this objection.

Accordingly, it is respectfully requested that these objections be withdrawn.

§101 Rejection of Claim 5

In Section 10 of the Office Action, claim 5 stands rejected under 35 U.S.C. §101 as being directed to a non-statutory subject matter.

Claim 5 has been amended to address the rejection.

Accordingly, it is submitted that the rejection of claim 5 based upon 35 U.S.C. §101 has been obviated and withdrawal thereof is respectfully requested.

§112 Rejection of Claims 2 and 5

In Sections 11-13 of the Office Action, claims 2 and 5 stand rejected under 35 U.S.C. §112, second paragraph.

Claims 2 and 5 have been amended to address the rejection.

Accordingly, it is submitted that the rejection of claims 2 and 5 based upon 35 U.S.C. §112 has been obviated and withdrawal thereof is respectfully requested.

§ 103 Rejection of Claims 1-8

In Sections 14-21 of the Office Action, claims 1-8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Vaudreuil (U.S. Patent No. 5,740,230) in view of Farrow *et al.* (U.S. Patent No. 6,374,295; hereinafter referred to as "Farrow").

In the Background section of the Specification, it was stated that “[e]lectronic messages in the form of e-mails or GSM short message texts are known. They rely on a store-and-forward technique where the originator of the message sends the message to a computer node. In the node the message is stored and then forwarded to other nodes until it reaches a mailbox belonging to the intended user.” *Specification, page 1, lines 16-20*. “As state of the art messaging systems like e-mail have a store-and-forward-communication structure, they have inherently problems with instant (i.e. nearly real-time) message delivery. ... Furthermore nearly real-time transmission of messages implies a big number of processing systems for high message throughput.” *Specification, page 2, lines 11-16*.

To address the above-described problems of the conventional messaging system, embodiments of the present invention provide a method for transmitting messages in a distributed system. For example, the steps of method claim 1, as presented herein, include:

“receiving a message from a sending client by a first message gateway;
extracting meta information from the received message;

transmitting the meta information from the first message gateway to a
message broker while keeping the received message at the first message
gateway;

selecting a second message gateway on the basis of the meta information and
client profile data by the message broker;

transmitting modified meta information including message managing
information from the message broker to the first message gateway; and

transmitting the message from the first message gateway to the selected
second message gateway so that the second message gateway can transfer
the message to a target client.”

(emphasis added)

In summary, the message transmission method of claim 1 transmits messages in a distributed system by extracting meta information from a message, transmitting only the meta

information of the message to a message broker, selecting a second message gateway on the basis of the meta information by the message broker, transmitting meta information including message managing information from the message broker to the first message gateway, and transmitting the message from the first message gateway to the second message gateway to transfer the message to a target client. Thus, embodiments of the present invention use meta information, which is processed and managed by message brokers to control and authenticate direct message transfer from the originator gateway (*i.e.*, the first message gateway) to the receiver gateway (*i.e.*, the second message gateway).

By contrast, the Examiner states in Section 16 that Vaudreuil fails to teach extracting meta information from a received message and transmitting the meta information from the first message gateway to the message broker. Further, Farrow is directed to a protocol for a centralized communication system rather than to a distributed messaging process, such as the method described in claim 1.

Based on the foregoing discussion regarding Vaudreuil and Farrow, it is submitted that claim 1 should be allowable over the combination of Vaudreuil and Farrow. Since claims 5 and 6 closely parallel, and include substantially similar limitations as, claim 1, claims 5 and 6 should also be allowable over the combination of Vaudreuil and Farrow. Further, since claims 2-4 and 7-8 depend from claims 1 and 6, respectively, claims 2-4 and 7-8 should also be allowable over the combination of Vaudreuil and Farrow.

Accordingly, it is submitted that the rejection of claims 1-8 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§ 103 Rejection of Claim 9

In Sections 22-25 of the Office Action, claim 9 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Vaudreuil and Farrow.

Based on the foregoing discussion regarding Vaudreuil and Farrow, and since claim 9 depends from claim 6, claim 9 should be allowable over the combination of Vaudreuil and Farrow.

Accordingly, it is submitted that the rejection of claim 9 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

Conclusion

In view of the foregoing, entry of this amendment, and the allowance of this application with claims 1-9 are respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes that have been made to these claims were not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes were made simply for clarification and to round out the scope of protection to which Applicant is entitled.

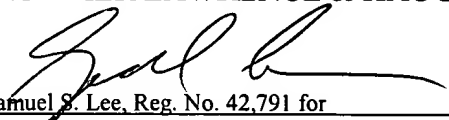
In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By:



Samuel S. Lee, Reg. No. 42,791 for
William S. Frommer
Reg. No. 25,506
(212) 588-0800

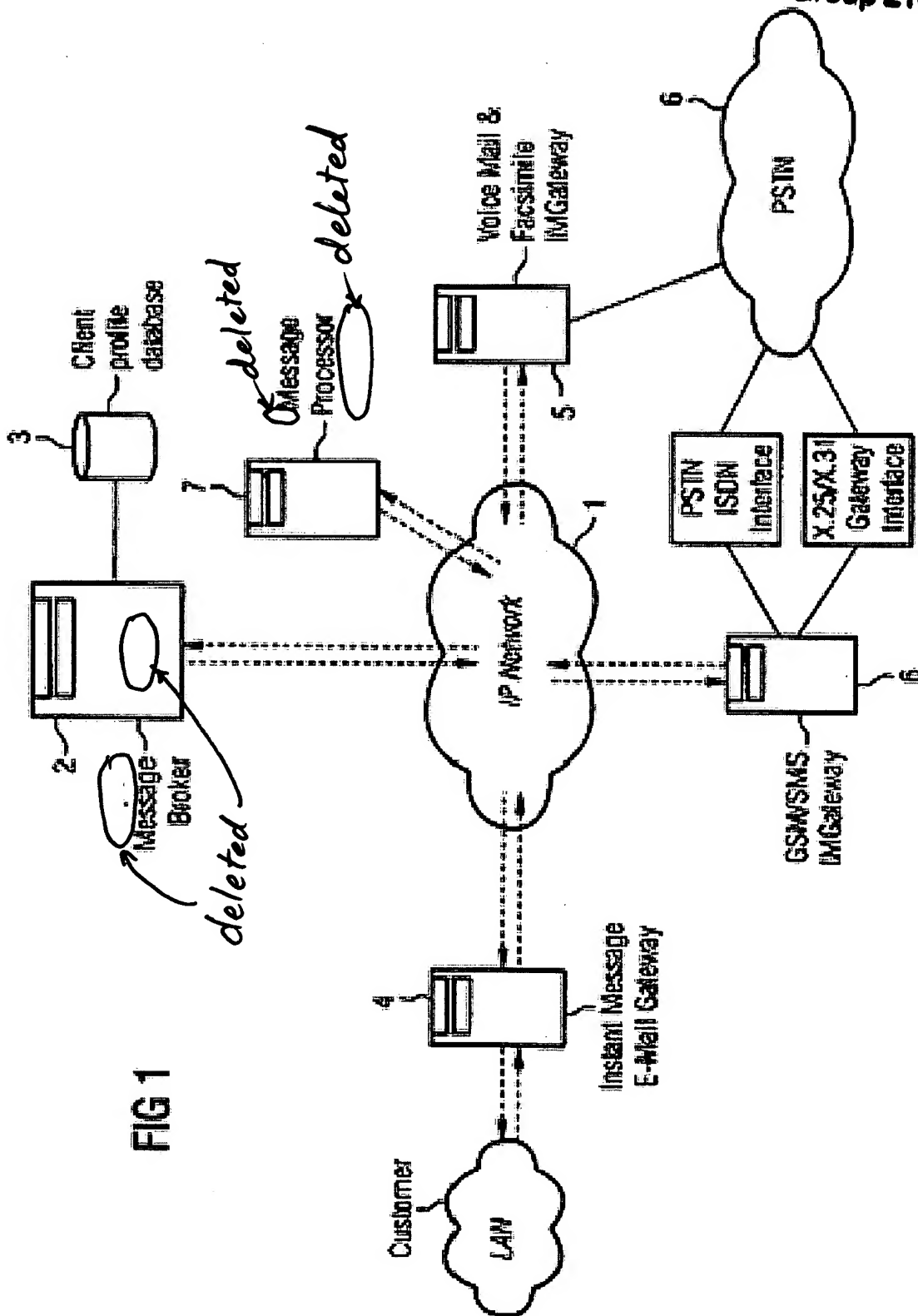
Appendix

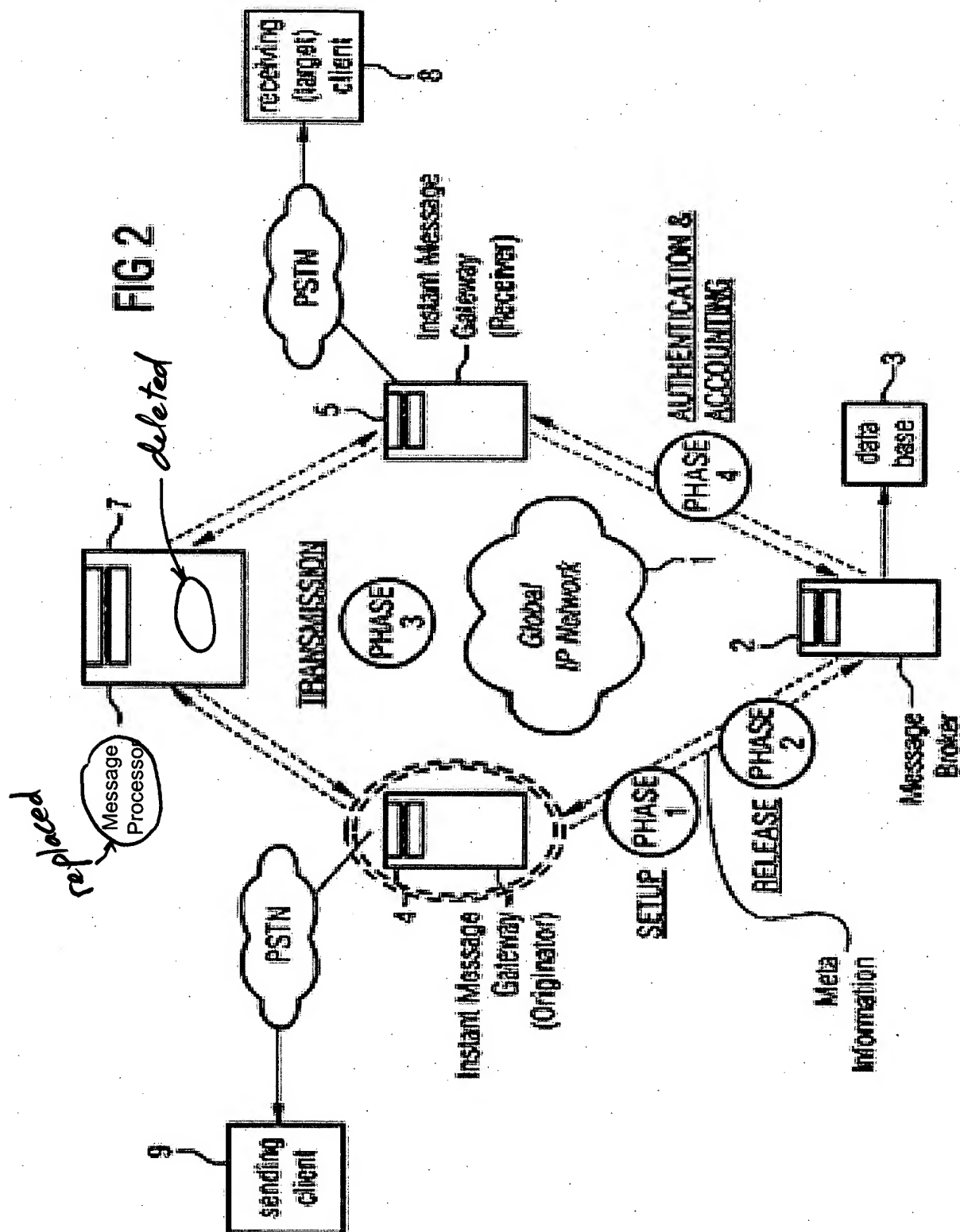


RECEIVED

NOV 5 2004

Group 2100







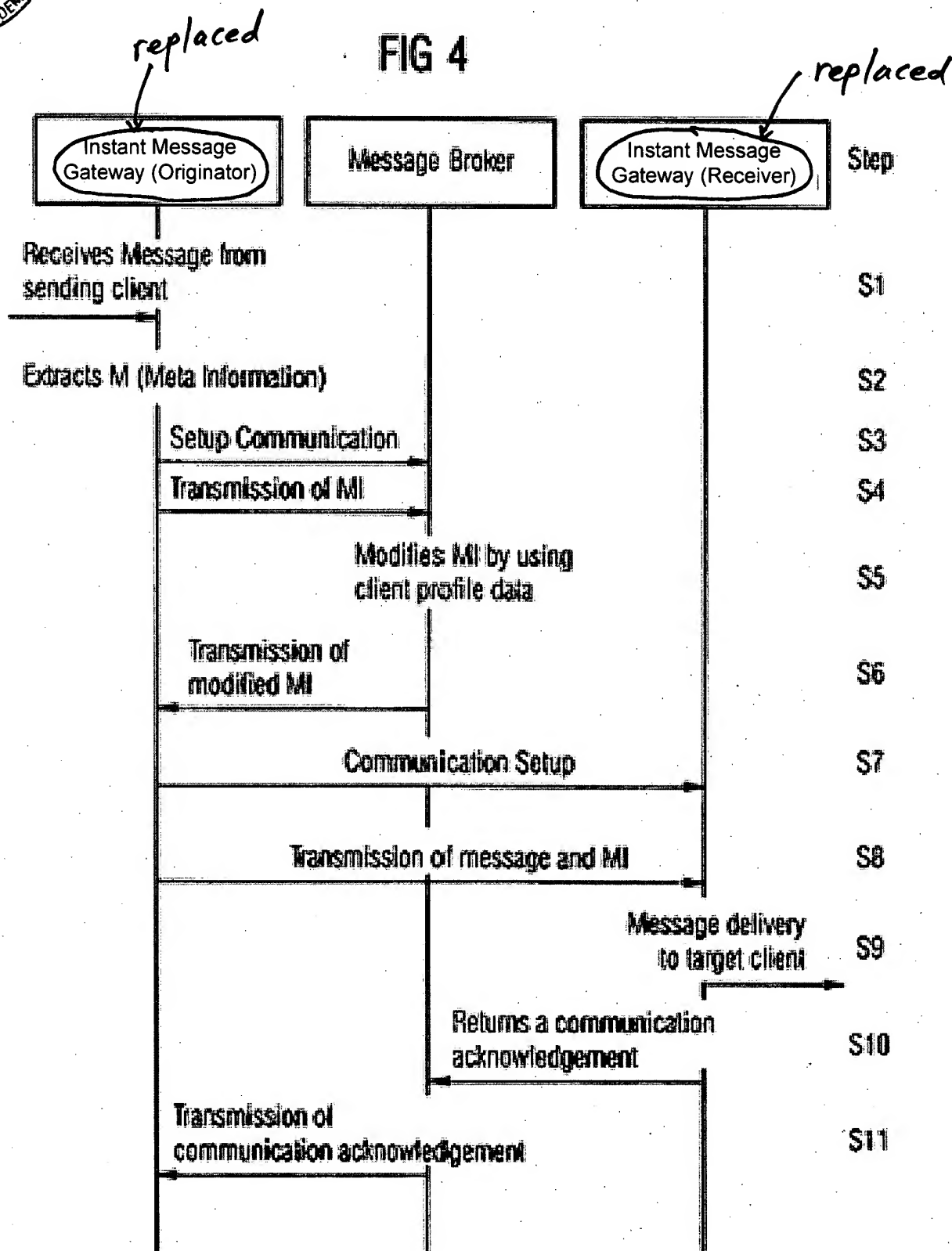
RECEIVED

NOV 5 2004

Group 2100

4/8

FIG 4

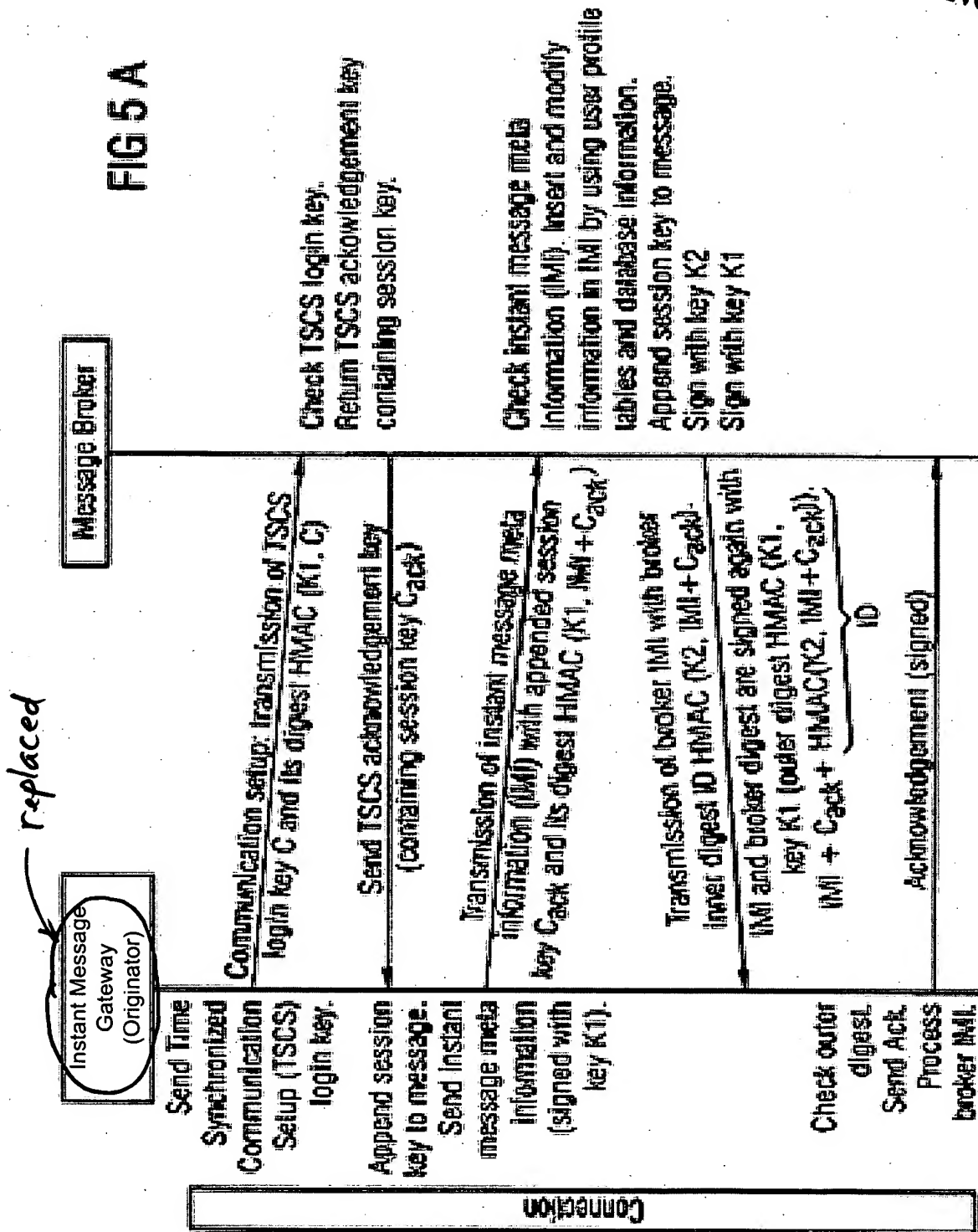




5/8

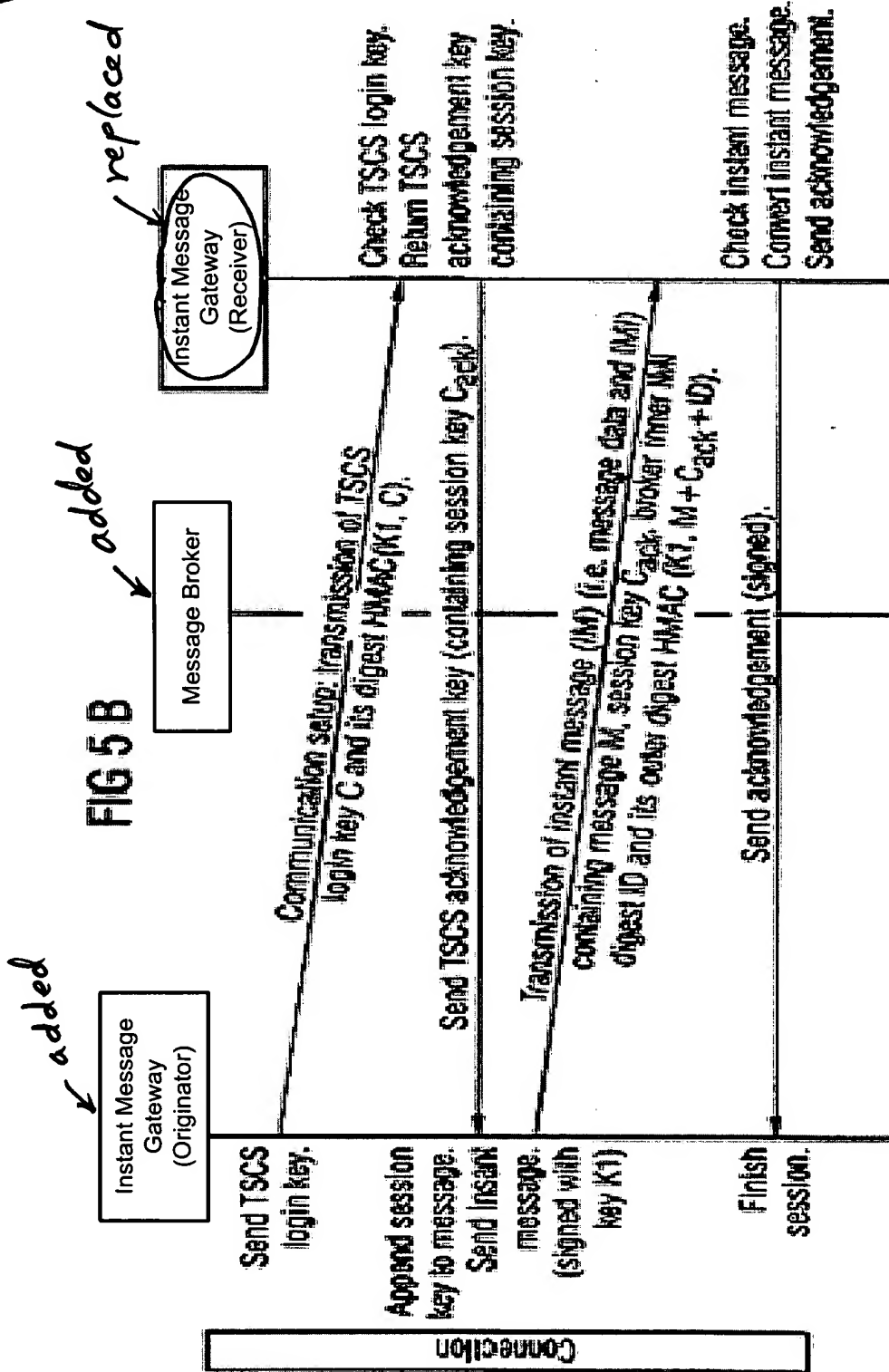
RECEIVED
NOV 5 2004
Group 2100 /

FIG 5 A





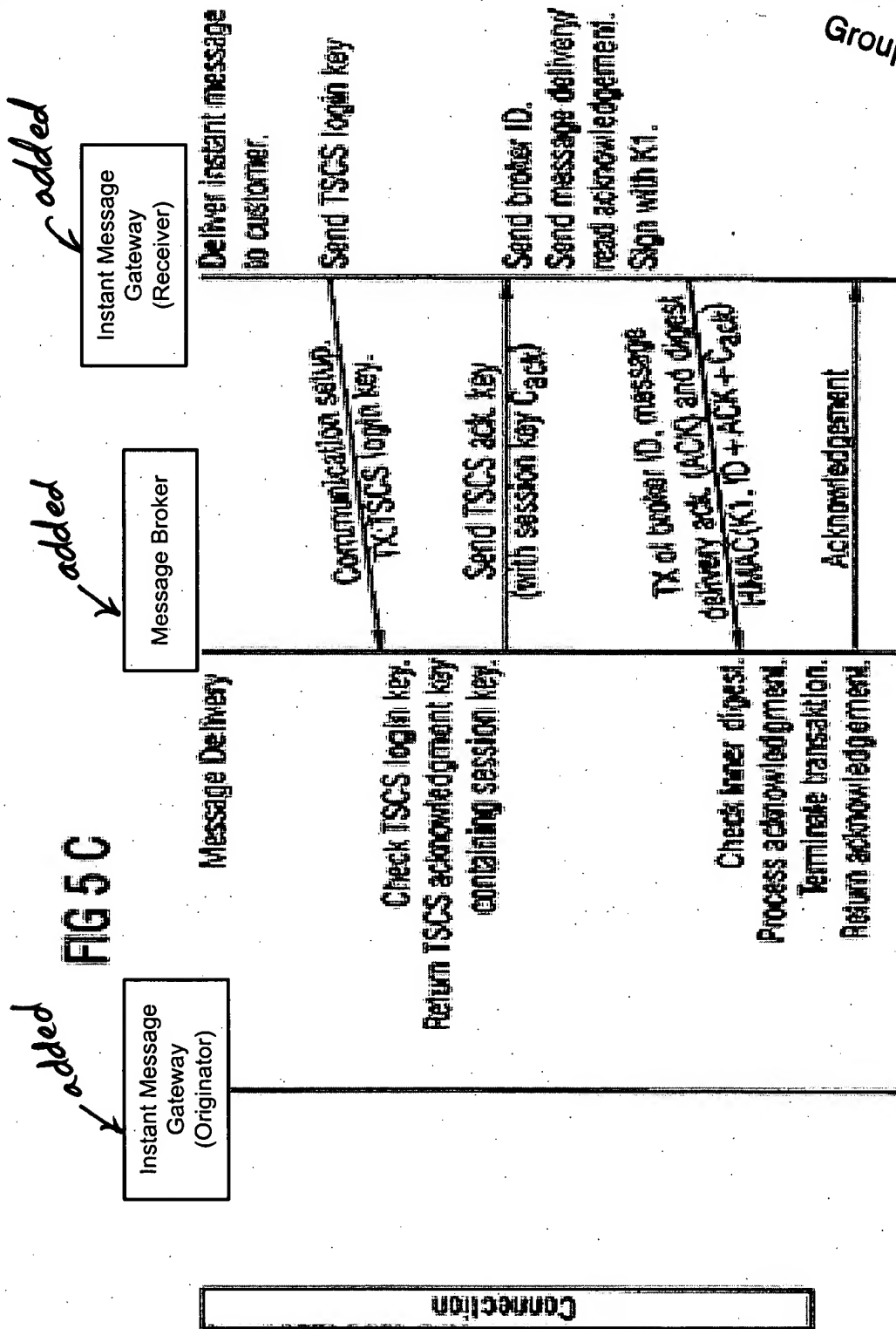
RECEIVED
NOV -
Group 2100





7/8

RECEIVED
NOV 5 2004
Group 2100





RECEIVED

NOV 5 2004

Group 2100

